

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

R.S.A. No. 1626 of 2006

Date of decision: 7.8.2007

Rattan Lal and others

...Appellants

Versus

Duli Chand and others

...Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr.Sachin Mittal, Advocate for the appellants.

RAJESH BINDAL, J.

This is plaintiff's second appeal against the concurrent findings of fact of both the Courts below whereby suit for permanent injunction and in the alternative plaintiff having become owner by way of adverse possession was dismissed.

The claim made by the appellant was that he is the owner of property having the same purchased for a sum of Rs.600/- by an oral sale deed in the year 1950 and in the alternative it was pleaded that he was owner of the property by way of adverse possession. Both the Courts below found that appellant had not been able to substantiate his plea that he is owner by way of adverse possession. There is no pleading or evidence to prove that how and when the appellant came in possession of the land and to the knowledge of true owners thereof to substantiate plea of adverse possession. The plea of purchase of land by an oral sale deed was also not found to be convincing. Learned counsel for the appellant made efforts to justify that the findings recorded by both the courts below are not sustainable, however, in view of ample evidence on record belying his stand, he could not succeed.

Accordingly, I do not find any merit in the present appeal and the same is dismissed.

**August 7, 2007
Pka**

**(Rajesh Bindal)
Judge**

